UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,836	12/03/2001	Kenneth W. Shirriff	P5927US	6294

24726	7590	07/06/2004

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EXAMINER
BONZO, BRYCE P

ART UNIT	PAPER NUMBER
2114	2

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 December 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>03 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Non-Final Rejection

Status of the Claims

Claims 1-9, 12-20 and 23-31 are rejected under 35 USC §102.

Claims 10, 11, 21, 22, 32 and 33 are rejected under 35 USC §103.

Rejections under 35 USC §102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 12-20 and 23-31 are rejected under 35 U.S.C. 102(e) as being

anticipated by Conti (United States Patent No 6,522,995).

Conti discloses:

1. A method for testing a user interface of an administration software of a cluster, said

cluster comprising at least one node, said cluster administration software running on

said at least one node, said cluster comprising an administrative web server running on

said at least one node and providing said user interface for said cluster administration

software, said method comprising (column 2, lines 1-25):

(1) pre-recording a sequence of requests to be sent to said administrative web server of said cluster at a later time (column 3, lines 37-45);

(2) sending said prerecorded sequence of requests from a test node to said administrative web server of said cluster (column 3, lines 6-7); and

(3) receiving a sequence of responses of said administrative web server of said cluster to said sent pre-recorded sequence of requests; wherein said sequence of received responses is indicative of correctness of operation of said user interface (column 9, lines 24-37: "received code" "expected code").

2. The method of claim 1, further comprising: (4) communicating with one or more nodes of said cluster and performing direct examination of said one or more nodes (column 6, lines 63-66); wherein results of said direct examination are indicative of correctness of operation of said user interface (column 6, lines 63-66).

3. The method of claim 1, wherein said receiving said sequence of responses further comprises comparing said sequence of received responses with a sequence of expected responses (column 9, lines 24-37: "received code" "expected code").

4. The method of claim 3, wherein said sequence of expected responses comprises a subset of responses attributable to correct operation of said user interface (column 9, lines 30: expected code).

5. The method of claim 3, wherein said sequence of expected responses comprises at least one pre-determined response (column 9, lines "expected code").

6. The method of claim 1, further comprising: (5) communicating with one or more applications running on said cluster to verify that said one or more applications are operating correctly (column 10, lines 10-15).

7. The method of claim 1, wherein said pre-recording a sequence of requests comprises:

    (a) requesting a test creator to input an administrative task (column 8, lines 12-13); and

    (b) storing said sequence of requests in a request file (column 8, lines 1-23); said sequence of requests being determined by the administrative task input by said test creator (column 8, lines 12-13).

8. The method of claim 7, further comprising: (c) storing a sequence of expected responses in a response file, wherein each of said sequence of expected responses corresponds to at least one request from said sequence of requests stored in said request file (column 9, lines 30-31).

9. The method of claim 8, further comprising: (d) providing said test creator with an opportunity to examine said sequence of requests and said sequence of responses and

mark said pre-recorded sequence of requests as failing (column 9, lines 24-25; column

9, line 38 through column 10, line 8).

Claims 12-20 are the computer readable medium embodiment of the method for testing

a user interface of claims 1-9 and thus are rejected on the same grounds.

Claims 23-31 are the computer system embodiment of the method for testing a user

interface of claims 1-9 thus are rejected on the same grounds.

Rejections under 35 USC §103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

Claims 10, 11, 21, 22, 32 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Conti (United States Patent No 6,522,995).

As per claim 10, Conti does not explicitly disclose:

further comprising: (c) providing said test creator with an opportunity to add any

additional operation code. Official Notice is given that is well known in the diagnostic

arts to allow the user to add code to a test script. Users often add code to extend the

use of a script, for example users often add code to test scripts which cause the computer to output addition status information, such print commands in for tracing or escape commands to terminate a script started in error. Thus it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the well known practice of allowing additional code to added to a test script and thus increasing the flexibility of the scripting program to the user.

As per claim 11, Conti discloses:

further comprising: (c) providing said test creator with an opportunity to add additional cleanup steps, said additional cleanup steps ensuring that said at least one node of said cluster are placed in a consistent state after said testing is completed. Official Notice is given that is well known in the art to carry out steps which leave a computer system in a consistent state. This is a well known programming practice which ensures that the device or program which received the changes begins operating at the state the programmer assumed would be present. The most classic example of commands added to code to return devices and programs to a consistent state is rebooting the device, and forcing the memory in the system to be reset to initial values. Thus it would have been obvious to one of ordinary skill in the art of programming to include steps for cleaning up a script, thus ensuring the device resume execution on a predefined path of execution rather than failing and executing improper code.

Claims 21 and 22are the computer readable medium embodiment of the method for testing a user interface of claims 10 and11 thus are rejected on the same grounds.

Claims 32 and 33 are the computer system embodiment of the method for testing a user interface of claims 10 and 11 thus are rejected on the same grounds.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryce P Bonzo whose telephone number is (703) 305-4834. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bryce P Bonzo
Examiner
Art Unit 2114

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